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**PATENT**  
**Case SU-7245**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**JONATHAN N. HOWARTH ET AL.**

**SERIAL NO.: 10/028,631**

**FILED: DECEMBER 21, 2001**

**MICROBIOLOGICAL CONTROL IN  
ANIMAL PROCESSING**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

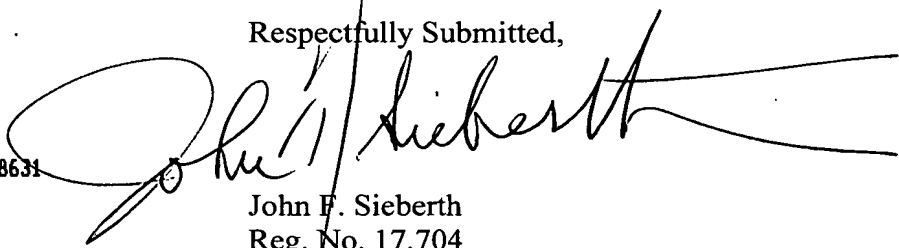
Sir:

**THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Enclosed herewith for consideration by the Examiner is a third Supplemental Information Disclosure Form PTO/SB/08B together with a copy of each document listed thereon.

Respectfully Submitted,

09/14/2004 GWORDOF1 00000039 502768 10028631  
01 FC:1806 180.00 DA

  
John F. Sieberth  
Reg. No. 17,704  
Attorney of Record

Telephone: (225) 291-4600  
Facsimile: (225) 291-4606

**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sept. 10, 2004  
Date

  
Deborah A. Brouillette



PTO/SB/08B (08-03)

Approved for use through 05/31/2003. OMB 0651-0031

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Substitute for form 1449B/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Third Supplemental (use as many sheets as necessary)		Application Number	10/028,631
		Filing Date	12/21/2001
		First Named Inventor	Howarth et al.
		Group Art Unit	1616
		Examiner Name	Neil S. Levy
Sheet <b>1</b>	of <b>2</b>	Attorney Docket Number	SU-7245

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	L-2	Blaser, Martin J., et al., "Inactivation of <i>Campylobacter jejuni</i> by Chlorine and Monochloramine", Applied and Environmental Microbiology, vol 51, no. 2, 1986, ppg 307-311.	
	L-3	Carr, Anitra C., "Differential reactivities of hypochlorous and hypobromous acids with purified Escherichia coli phospholipid: formation of haloamines and halohydrins", Biochimica et Biophysica, 1392, 1998, ppg 254-264.	
	L-4	Dickens, J.A., et al., "Efficacy of an Herbal Extract on the Microbiological Quality of Broiler During a Simulated Chill", Poultry Science, 2000, vol 79, ppg 1200-1203.	
	L-5	Fabrizio, K.A., et al., "Comparison of Electrolyzed Oxidizing Water with Various Antimicrobial Interventions to Reduce Salmonella Species on Poultry", Poultry Science, 2002, vol 81, ppg 1598-1605.	
	L-6	Hawkins, Clare L., et al., "Hypochlorite- and Hypobromite-Mediated Radical Formation and Its Role in Cell Lysis", Archives of Biochemistry and Biophysics, vol 395, no. 2, November 15, 2001, ppg 137-145.	
	L-7	Kumar, Krishan, et al., "Kinetics and Mechanism of General-Acid-Assisted Oxidation of Bromide by Hypochlorite and Hypochlorous Acid", Inorg. Chem., 1987, vol 26, ppg 2706-2711.	
	L-8	Lillard, H.S., "Effect of Trisodium Phosphate on Salmonellae Attached to Chicken Skin", Journal of Food Protection, vol 57, no. 6, June 1994, ppg 465-469.	
	L-9	Mead, G.C., et al., "The Effectiveness of In-plant Chlorination in Poultry Processing", Br. Poult. Sci., vol 16, 1975, ppg 517-526.	
	L-10	Northcutt, J.K., et al., "Effect of Broiler Age, Feed Withdrawal, and Transportation on Levels of Coliforms, Campylobacter, Escherichia coli and Salmonella on Carcasses Before and After", Poultry Science, 2003, vol 82,	
	L-11	Patterson, J.T., "Chlorination of Water Used For Poultry Processing", British Poultry Science, vol 9, part 2, 1968, ppg 129-133.	
	L-12	Selk, S.H. et al., "Comparative Antimicrobial Activity, In Vitro and In Vivo, of Soft N-Chloramine Systems and Chlorhexidine", Applied and Environmental Microbiology, Apr. 1982, pp 899-904.	

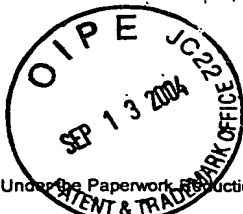
Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Third Supplemental (use as many sheets as necessary)		<b>Complete if Known</b>	
		Application Number	10/028,631
		Filing Date	12/21/2001
		First Named Inventor	Howarth et al.
		Group Art Unit	1616
		Examiner Name	Neil S. Levy
		Attorney Docket Number	SU-7245
Sheet	2	of	2

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	L-13	Tamblyn, K.C., et al., "Utilization of the Skin Attachment Model to Determine the Antibacterial Efficacy of Potential Carcass Treatments", Poultry Science, 1997, vol 76, ppg 1318-1323.	
	L-14	Tsai, Lee-Shin, et al., "Chlorination of Poultry Chiller Water: Chlorine Demand and Disinfection Efficiency", Poultry Science, 1992, vol 71, ppg 188-196	
	L-15	"Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems; Final Rule", Federal Register, July 25, 1996, vol 61, no 144, pg 38806-38814 and 38854-38855.	
	L-16	Vissers, Margret C.M., et al., "Comparison of human red cell lysis by hypochlorous and hypobromous acids: Insights into the mechanism of lysis", Biochem. J., vol 330, 1998, ppg 131-138.	
	L-17	Vissers, Margret C.M., et al., "Fatty acid chlorohydrins and bromohydrins are cytotoxic to human endothelial cells", Redox Report, vol 6, no. 1, 2001, ppg 49-55.	
	L-18	Wabeck, Charles J., "Methods to Reduce Microorganisms on Poultry", Broiler Industry, December 1994, ppg 34, 36, 38, 40, 42.	
	L-19	Yang, Hong, et al., "Survival and Death of Salmonella Typhimurium and Campylobacter jejuni in Processing Water and on Chicken Skin during Poultry Scalding and Chilling", Journal of Food Protection, vol 64, no 6, 2001, ppg 770-	
	L-20	"9215 C. Spread Plate Method", Microbiological Examination (9000), ppg 9-38 - 9-40.	

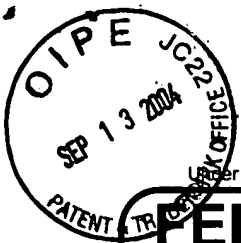
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<b>FEE TRANSMITTAL for FY 2004</b>		<b>Complete if Known</b>	
Effective 10/01/2003. Patent fees are subject to annual revision.		Application Number	10/028,631
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	12/21/2001
		First Named Inventor	Jonathan N. Howarth
		Examiner Name	Neil S. Levy
		Art Unit	1616
		Attorney Docket No.	SU-7245
TOTAL AMOUNT OF PAYMENT (\$)		\$180.00	

<b>METHOD OF PAYMENT</b> (check all that apply)		<b>FEE CALCULATION</b> (continued)					
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money <input type="checkbox"/> Other <input type="checkbox"/> None		<b>3. ADDITIONAL FEES</b>					
<input checked="" type="checkbox"/> Deposit Account:		<b>Large Entity</b> <b>Small Entity</b>					
Deposit Account Number: 502768		Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
Deposit Account Name: Sieberth & Patty, L.L.C.		1051	130	2051	65	Surcharge - late filing fee or oath	
		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
		1053	130	1053	130	Non - English specification	
		1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
		1251	110	2251	55	Extension for reply within first month	
		1252	420	2252	210	Extension for reply within second month	
		1253	950	2253	475	Extension for reply within third month	
		1254	1,480	2254	740	Extension for reply within fourth month	
		1255	2,010	2255	1,005	Extension for reply within fifth month	
		1401	330	2401	165	Notice of Appeal	
		1402	330	2402	165	Filing a brief in support of an appeal	
		1403	290	2403	145	Request for oral hearing	
		1451	1,510	1451	1,510	Petition to institute a public use proceeding	
		1452	110	2452	55	Petition to revive - unavoidable	
		1453	1,330	2453	665	Petition to revive - unintentional	
		1501	1,330	2501	665	Utility issue fee (or reissue)	
		1502	480	2502	240	Design issue fee	
		1503	640	2503	320	Plant issue fee	
		1460	130	1460	130	Petitions to the Commissioner	
		1807	50	1807	50	Processing fee under 37 CFR § 1.17(q)	
		1806	180	1806	180	Submission of Information Disclosure Statement	180.00
		8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
		1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
		1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
		1801	770	2801	385	Request for Continued Examination (RCE)	
		1802	900	1802	900	Request for expedited examination of a design application	
		Other fee (specify) _____					
<b>1. BASIC FILING FEE</b>		<b>2. EXTRA CLAIM FEES FOR UTILITY AND</b>					
<b>Large Entity</b> <b>Small Entity</b>		<b>Extra Claims</b> <b>Fee from below</b> <b>Fee Paid</b>					
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid		
1001	770	2001	385	Utility filing fee			
1002	340	2002	170	Design filing fee			
1003	530	2003	265	Plant filing fee			
1004	770	2004	385	Reissue filing			
1005	160	2005	80	Provisional filing fee			
SUBTOTAL (1) (\$)							
		<b>2. EXTRA CLAIM FEES FOR UTILITY AND</b>					
		<b>Extra Claims</b> <b>Fee from below</b> <b>Fee Paid</b>					
Total Claims		20** =	0	X		=	0.00
Independent Claims		3** =	0	X		=	0.00
Multiple Dependent				X		=	
<b>Large Entity</b> <b>Small Entity</b>		<b>Fee Description</b>					
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid		
1202	18	2202	9	Claims in excess of 20			
1201	86	2201	43	Independent claims in excess of 3			
1203	290	2203	145	Multiple dependent claim, if not paid			
1204	86	2204	43	** Reissue independent claims over original patent			
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent			
SUBTOTAL (2) (\$)		\$0.00					
		<b>3. ADDITIONAL FEES</b>					
		<b>Large Entity</b> <b>Small Entity</b>					
		Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1051	130	2051	65	Surcharge - late filing fee or oath	
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		Other fee (specify) _____					
		SUBTOTAL (3) (\$)					
		\$180.00					

\*\*or number previously paid, if greater; For Reissues, see above

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Name	John F. Sieberth	Registration No. (Attorney/Agent)	17,704
Signature		Telephone	225/291-4600
		Date	September 10, 2004

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